

30.01.2026
Serial no. 318
[G.S.D]

CRM (M) 2353 of 2025

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with **Krishnaganj PS Case No. 281 of 2025 dated 29.06.2025 u/s 65(2) of the BNS, 2023 and Section 4 of the POCSO Act, 2012.**

-And-

In the matter of : Prasanta Bhattacharya

... Petitioner(s)

Mr. S. Majumder

... for the Petitioner(s)

Mr. Subhomoy Bhattacharya
Ms. Suchismita Dutta

... for the State-respondent(s)

Report submitted by the State be kept with the record.

Learned advocate for the petitioner submits that the petitioner is in custody for more than seven months and, according to the petitioner, the victim girl has exonerated the present petitioner.

Learned advocate for the State has drawn the attention of the court to the statement of the victim under section 183 of the BNSS; the statement of the grandmother of the victim under Section 183 of the BNSS as well as the medical officer.

The order dated 23.12.2025 reflects that although the witness was present, but, because of the defence

counsel withdrawing from the case, there was no progress in the trial.

Having regard to the fact that the examination of the victim is in progress and the witness action has just commenced, at this stage, I am not inclined to release the petitioner on bail.

Hence, the prayer for bail of the petitioner is **Rejected.**

However, the petitioner will renew his prayer for bail after the evidence of the victim and the grandmother of the victim is over.

The learned trial court would, after the evidence of the victim is over, fix date for examination of the grandmother of the victim

Accordingly, CRM(M) 2353 of 2025 is **dismissed.**

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

